

UNITED STATES DISTRICT COURT

for the  
District of New Jersey

United States of America

v.

KEITH FISHER, SR.  
a/k/a Larry Rosenberg

Case No.

Mag. No. 20-mj-2008 (JS)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 2019 through Jan. 10, 2020 in the county of \_\_\_\_\_ in the  
\_\_\_\_\_ District of New Jersey, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §1341

SEE ATTACHMENT A.

This criminal complaint is based on these facts:

SEE ATTACHMENT B.

☐ Continued on the attached sheet.

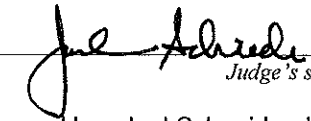
  
Complainant's signature

Tyler Duffey, Special Agent, DOS/OIG

Printed name and title

Sworn to before me and signed in my presence.

Date: 01/23/2020

  
Judge's signature

City and state: Camden, New Jersey

Hon. Joel Schneider, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED  
UNITED STATES ATTORNEY

By:   
Jeffrey B. Berden, Assistant U.S. Attorney

Date: January 23, 2020

**ATTACHMENT A**

From in or about June 2019 through on or about January 10, 2020, in the District of New Jersey and elsewhere, the defendant

KEITH FISHER, SR.

a/k/a "Larry Rosenberg,"

did knowingly and intentionally devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such scheme and artifice to defraud, did knowingly cause to be delivered by a private and commercial interstate carrier according to the direction thereon and at the place at which it was directed to be delivered by the person to whom it was addressed approximately 25 folding chairs and 20 folding tables.

In violation of Title 18, United States Code, Section 1341.

## ATTACHMENT B

### AFFIDAVIT

1. I Tyler J. Duffey, (the "affiant"), state that I am a Special Agent with the U.S. Department of State, Office of Inspector General ("DOS/OIG"). The information set forth in this Affidavit in support of a criminal complaint is based on my personal observations, my training and experience, information obtained from other agents and witnesses, and a review of records and reports. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known by the government concerning this investigation. Except as otherwise indicated, the actions, conversations, and statements of others identified in this Affidavit are reported in substance and in part. Similarly, dates and times are approximations, and should be read as on or about, in or about, or at or about the date or time provided.

2. I am a Special Agent with DOS/OIG and have served in this position since January 2017. I have received training in conducting criminal investigations from the Federal Law Enforcement Training Centers in Glynco, Georgia and from the Council of Inspectors General on Integrity and Efficiency. In my capacity as a Special Agent, I have given sworn testimony and served as the lead agent in fraud-related criminal and administrative investigations. I also have assisted in the execution of several warrants to search premises. Prior to my employment as a Special Agent, I held various positions within the federal government that required me to provide investigative and analytical support for criminal and administrative investigations. I hold a Masters of Public Administration from George Mason University (2014) and a Bachelor of Science from Indiana University (2009). Based on my training and experience, I am familiar with the means and methods used in contract fraud and other fraud schemes.

#### Fisher's Prior Fraud Conviction and Sentence

3. On or about August 5, 2015, Fisher was arrested pursuant to a criminal complaint issued the same day before the Honorable Joel Schneider in the District of New Jersey charging him with one count of conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349. *See* 15-mj-2037 (JS). Fisher was ordered detained.

4. On March 10, 2017, Fisher pleaded guilty before the Honorable Judge Renee Marie Bumb in the District of New Jersey to one count of conspiracy to commit mail fraud, in violation of 18 U.S.C. § 371. *See* 16-CR-164 (RMB). As part of the plea, Fisher admitted the following:

- a. Between February 2010 and August 5, 2015, Fisher conspired with others to defraud various victim-businesses out of more than \$1 million. The fraud involved Fisher and his companies (1) winning bids for U.S. government contracts; (2) subcontracting with the victim-businesses to provide goods to the government pursuant to the contracts; (3) collecting payments from the

government for fulfilling the contracts; and (4) then failing to pay the subcontractor victim-businesses that actually provided the goods.

- b. As part of the conspiracy, Fisher established and controlled Quad Trade Services, Inc. ("Quad") using a business address in Cinnaminson, New Jersey, and TCI Technologies ("TCI") using a business address in Moorestown, New Jersey. Fisher and his co-conspirators made misrepresentations to the victim-businesses regarding these businesses and their employees.
- c. As part of the conspiracy, Fisher also used various identities to communicate with and send false information to the victim-businesses.

5. On July 20, 2017, Judge Bumb sentenced Fisher to 60 months' imprisonment to be followed by a three-year term of supervised release. One special condition of supervised release was that Fisher "must refrain from bidding on any federal contracts, including by using or accessing the System for Award Management ("SAM"), the online marketplace FedBid.com, or any other similar website."

6. On or about April 24, 2019, after having served most of his custodial sentence, Fisher was transferred to the Kintock Residential Reentry Center in Philadelphia, Pennsylvania, to complete his sentence.

7. On or about November 7, 2019, Fisher's custodial sentence ended and his period of supervised release commenced. Fisher moved to Burlington, New Jersey in December 2019 and is presently under the supervision of a U.S. Probation Officer in the District of New Jersey.

#### Fisher's Current Fraud (While in Custody on Prior Conviction)

8. On or about June 3, 2019, a company named Atlantic Safety Corporation was registered and certified in the System for Award Management ("SAM") website/database. The SAM website/database is an official website of the U.S. government. A company/entity must have an active registration in SAM to do business with the U.S. government. Keith Fisher is listed as the President of Atlantic Safety Corporation in SAM records. Atlantic Safety Corporation had been previously registered by Keith Fisher as President but the certification expired on May 5, 2016.

9. As part of the certification process, SAM requires certain representations and warns that false statements are subject to prosecution.<sup>1</sup> Among the false certifications made by

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<sup>1</sup> The first paragraph of the certification reads: "I have read each of the FAR and DFARS provisions presented on this page. By submitting this certification, I, Keith Fisher, am attesting to the accuracy of the representations and certifications contained herein, including the entire NAICS table. I understand that I may be subject to criminal prosecution under Section 1001, Title 18 of the United States Code or civil liability under the False Claims Act if I misrepresent Atlantic Safety Corporation in any of these representations or certifications to the Government."

Keith Fisher in SAM on June 3, 2019 regarding Atlantic Safety Corporation were that (a) Fisher has not within a three-year period, been convicted of a commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; and (b) the company is veteran owned, woman owned, and Asian-Pacific American owned. Records show that the individual making this certification identified himself as Keith Fisher and accessed the system from IP address 73.13.131.33, which was assigned at the time of the certification by Comcast to "Keith Fisher" at an address on North Water Street in Philadelphia, Pennsylvania. (On July 31, 2015, a magistrate judge in the Eastern District of Pennsylvania authorized a federal search warrant of the same address on North Water Street in connection with the investigation of Fisher's prior fraud.)

10. According to Oath (a/k/a Yahoo) business records, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) was created on or about July 9, 2019 by "Larry Rosenberg" from IP address 73.13.131.33, which is the same IP address discussed in the prior paragraph. The account reflects a "verified" user phone number of (267) 916-1699.<sup>2</sup>

11. Companies can competitively bid on government contracts on Unison Marketplace Inc. ("Unison"). On or about July 9, 2019, Unison sent an email to Atlantic Safety Corporation's prior point-of-contact asking for verification that [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) was a valid seller representative for Atlantic Safety Corporation.

12. On or about August 27, 2019, Unison received an email from [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) requesting that the Atlantic Safety Corporation point of contact for Unison be updated to Larry Rosenberg, email: [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com), phone: 267-916-1699.

13. On or about September 28, 2019, a Department of State contract/purchase order 19GH1019P0674 (hereinafter, "Awarded Contract") was awarded to Atlantic Safety Corporation

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<sup>2</sup> The emails described in this affidavit were obtained from an e-mail search warrant for [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) authorized by United States Magistrate Judge Ann Marie Donio on December 13, 2009, see 19-mj-1100 (AMD), and/or the other party to the e-mail.

In addition to the emails described in the subsequent paragraphs, other emails illustrate Keith Fisher's control over the [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) account. For example, on or about September 23, 2019, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) sent an email to an @navy.mil address with an attached Atlantic Safety invoice reflecting a naval contract for \$2,543.05 that was "paid in full" on August 22, 2019. Navy records reflect that the payment was for a contract awarded to Atlantic Safety on May 11, 2015 (during Fisher's prior fraud). This payment was deposited into a Republic Bank account in the name of Keith Fisher that was opened by Fisher on or about May 14, 2019. The bank account signature card reflects the same phone number discussed elsewhere in this affidavit: (267) 916-1699.

for approximately \$8,756.60 to deliver furniture to a location in North Brunswick, New Jersey for subsequent delivery abroad. Atlantic Safety Corporation's successful Unison bid for this purchase order lists the sales representative as Larry Rosenberg and the email address as [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com). Unison records reflect that [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) accessed the Unison website from IP address 73.13.131.33 on September 28, 2019, as well as on the prior days.<sup>3</sup>

14. On or about October 7, 2019, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) emailed Company 3 specifications for furniture that Atlantic Safety was to provide pursuant to the Awarded Contract. On or about October 9, 2019, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) emailed to Company 3 a purchase order between Atlantic Safety Corporation and Company 3 that reflects a total price of \$18,000, which is substantially more than the \$8,756.60 that Atlantic Safety Corporation would receive from the government for fulfilling the contract.

#### Fisher's Current Fraud (While on Supervised Release)

15. On or about November 8, 2019, Company 3 emailed [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) to re-request contact information for the supposed credit references (TCI Technologies and Quad Trade Services).

16. On or about November 11, 2019, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) signed a contract on behalf of Atlantic Safety with RingCentral, a company that provides call and fax forwarding services. (Keith Fisher used RingCentral during his prior fraud.) At approximately 5:31 pm, the company emailed fax numbers purportedly based in Los Angeles, CA, and Wilmington, DE. At approximately 5:40 pm, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) sent Company 3 those two fax numbers for Company 3 to contact TCI Technologies and Quad Trade Services for credit references.

17. On or about November 14, 2019, Company 3 received via fax two credit reference forms that purported to be from companies providing credit references. At the top of each fax there is text that reads: "From: Larry Rosenberg," followed by fax numbers.<sup>4</sup>

18. On or about November 19, 2019, Company 3 emailed [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) to indicate that Company 3 was declining Atlantic Safety a line

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<sup>3</sup> According to Unison login records, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) logged into the system on approximately 65 instances on or about July 15, 2019 through October 22, 2019. Prior to July 15, 2019, the last person to access Atlantic Safety Corporation on Unison did so on or about August 2, 2015, which was approximately three days before Fisher was arrested and ordered detained.

<sup>4</sup> RingCentral records reflect that the [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) account was accessed via a web browser multiple times on November 14, 2019 from IP address 73.13.131.33, as well as once from a different IP address.

of credit because of concerns with the credit references, including that the faxes were from "Larry Rosenberg."

19. On or about January 3, 2020, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) emailed Company 5 a signed Atlantic Safety purchase order for Company 5 to provide goods pursuant to the Awarded Contract for shipment to North Brunswick, New Jersey, in exchange for \$16,380. As with the Company 3 purchase order, the amount of money Company 5 was to be paid by Atlantic Safety for fulfilling the contract was substantially more than the \$8,756.60 that Atlantic Safety would receive from the government for fulfilling the Awarded Contract. Company 5, a dealer for Company 6, agreed to provide the requested goods without upfront payment.

20. On or about January 7, 2020, Company 6, which is headquartered in New Jersey, used a freight shipping service based in New Jersey to ship approximately 20 blow molded folding tables and 25 vinyl folding chairs to the address in North Brunswick, New Jersey, as provided by the Awarded Contract and the January 2nd Atlantic Safety purchase order. The bill of lading for this shipment lists the consignee as "Larry Rosenberg," along with one of the phone numbers provided to him by RingCentral.

21. On or about January 10, 2020, [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) utilized Unisom to bid on a NASA contract on behalf of Atlantic Safety Corporation.<sup>5</sup> (As previously mentioned, "bidding on any federal contracts" is a violation of a special condition of Fisher's supervised release.)

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<sup>5</sup> Unisom records reflect that [larry.rosenberg77@yahoo.com](mailto:larry.rosenberg77@yahoo.com) logged into the Unisom website from IP address 73.13.131.33 approximately 5 times between January 3, 2020 and January 14, 2020.